

Transmittal Letter to the United States
Designated/Elected Office (DO/EO/US)

Customer No.	026418	
Attorney's Docket No.:	JG-SU-5047 / 500577.20023	
U.S. Application No.:	09/786,963	
International Application No.:	PCT/JP99/04899	
International Filing Date:	SEPTEMBER 09, 1999	09 SEPTEMBER 1999
Priority Date Claimed:	SEPTEMBER 11, 1998	11 SEPTEMBER 1998
Title of Invention:	SMOKING METHOD AND APPARATUS THEREFOR	
Applicant(s) for (DO/EO/US):	Mamoru MIYAMORI, Hiroshi HOSHINO, Toshihiko MARUYAMA, Masao HIGUCHI and Hiroshi SAITO	

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- [] 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- [X] 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- [] 3. This express request to begin national examination procedures [35 U.S.C. 371 (f)] at any time rather than delay examination until the expiration of the applicable time limit set forth in 35 U.S.C. 371(b) and PCT Articles 22 and 23.
- [] 4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- [] 5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a) ___ is transmitted herewith (required only if not transmitted by the International Bureau)
 - b) ___ has been transmitted by the International Bureau
 - c) ___ is not required, as the application was filed in the United States Receiving Office (RO/US)
- [] 6. A translation of the International Application into English [35 U.S.C. 371(c)(2)]
- [] 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a) ___ are transmitted herewith (required only if not transmitted by the International Bureau)
 - b) ___ have been transmitted by the International Bureau
 - c) ___ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d) ___ have not been made and will not be made
- [] 8. A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
- [X] 9. An Executed Oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]
- [] 10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

Items 11. to 16. Below concern other document(s) or information included:

- [] 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98
- [] 12. An Assignment document for recording. A separate cover sheet (PTO-1619A) in compliance with 37 CFR 3.28 and 3.31 is included.
- [] 13. __ A **FIRST** preliminary amendment
__ A **SECOND** or **SUBSEQUENT** preliminary amendment
- [] 14. A substitute specification
- [] 15. A change of power of attorney and/or address letter
- [X] 16. (other items or information) **PCT/DO/EO/905 dated April 16, 2001 and Forms PCT/IB/338
12MAR00 with English translation of PCT/IPEA/409 dated 14DEC00**

EXPRESS MAIL No.: **EL 645 878 903 US** Deposited: **May 16, 2001**

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: BOX PCT, Commissioner for Patents, Washington, DC 20231.

Ruth Montalvo /Ruth Montalvo Date: **May 16, 2001**

CALCULATIONS PTO USE ONLY

[] 17. The following fees are submitted:

BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]

- | | | | | |
|-----|---|-------------|--|--|
| [] | Search Report has been prepared by the EPO or JPO..... | \$ 860.00 | | |
| [] | International preliminary examination fee paid to USPTO [37 CFR 1.482]..... | \$ 690.00 | | |
| [] | No International preliminary examination fee paid to USPTO [37 CFR 1.482]
but International search fee paid to USPTO [37 CFR 1.445(a)(2)]..... | \$ 710.00 | | |
| [] | Neither International preliminary examination fee [37 CFR 1.482] nor
International search fee [37 CFR 1.445(a)(2)] paid to USPTO..... | \$ 1,000.00 | | |
| [] | International preliminary examination fee paid to USPTO [37 CFR 1.482]
and all claims satisfied provisions of PCT Article 33(1)-(4)..... | \$ 100.00 | | |

ENTER APPROPRIATE BASIC FEE AMOUNT:

Claims	Number Filed	Number Extra	Rate	
Total Claims	-20	12	x \$ 18. =	
Indep. Claims	-03	3	x \$ 80. =	
[X] Multiple Dependent Claim(s) (if applicable)		+ \$ 270. =		

TOTAL OF ABOVE CALCULATIONS:

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(e)]

\$130.00

TOTAL OF ABOVE CALCULATIONS:

\$130.00

Applicant claims Small Entity Status [See 37 CFR 1.27] Reduction by ½ for filing by small entity

SUBTOTAL: \$130.00

Processing fee of \$130.00 for furnishing the English Translation later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(f)]

TOTAL NATIONAL FEE: \$130.00

Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property

TOTAL FEE(S): \$130.00

**REFUNDE
CHARGE** \$
\$

AMOUNTS TO BE
REFUNDED OR CHARGED

[X] Check in the amount of **\$ 130.00** to cover the above fees is enclosed. (The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 50-1529.)

NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Jules E. Goldberg, Esq. (Customer No. 026418)

Reed Smith LLP
375 Park Avenue
New York, NY 10152

Gerald H. Kiel
Name (Tel. (212) 521-5400)

Signature

25,116
Reg. No.

May 16, 2001
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

J.S. APPLICATION NO	FIRST NAMED APPLICANT	ATTY DOCKET NO
09/786963	MIYAMORI	M JG-SU-5047/5
INTERNATIONAL APPLICATION NO		
REED SMITH LLP 375 PARK AVENUE NEW YORK, NY 10152		PCT/JP99/04899
IA FILING DATE		PRIORITY DATE
09 SEP 99		11 SEP 98

16 APR 2001

10 APR 20

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494) an Elected Office (37 CFR 1.495):

U.S. Basic National Fee. Indication of Small Entity Status.

Copy of the international application. Translation of the international application into English.

Oath or Declaration of inventor(s). Translation of Article 19 amendments into English.

Copy of Article 19 amendments. Other: IB 331, 301, 306, 332, IPEA 401, SA/210, RO 101, PRE'L AMENDMENT, INFORMATION DISCLOSURE STATEMENT

Priority Document.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English.

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

U.S. Basic National Fee. Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached DCT-DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date. 7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917
PTO-875

Notice of Defective Translation
 PCT/DQ/EO/920

Christine S. Washington

FORM BCE/DO/EO/905 (March 2011)

Telephone: 703-305-3753

Telephone: 703-303-3732

FORM PC 1/DO/EO/903 (March 30, 1981) Telephone: 703-305-3752